

14230 U.S. PTO  
06/24/03

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 223130-1450  
Sir:

Case Docket No.: CORE-67 CON

17513 U.S. PTO  
10/603065  
06/24/03

Transmitted herewith for filing is the patent application of:

Inventor: Peidong Wang et al.  
For: TUNABLE FABRY-PEROT FILTER AND TUNABLE VERTICAL CAVITY SURFACE  
EMITTING LASER.

Enclosed are:

- ☒ 11 sheets of drawings.  
☐ An assignment of the invention to: \_\_\_\_\_  
☐ A verified statement to establish small entity status.  
☒ REQUEST FOR FILING RULE 1.53(B) CONTINUATION APPLICATION.

The filing fee has been calculated as shown below:

For:	No. Filed	No. Extra	Rate	Small Entity		Large Entity	
				Fee	Rate	Fee	
Basic Fee				375.00		\$750.00	
Total Claims	43 - 20	23	x \$ 9.00		x \$18.00	\$414.00	
Ind. Claims	4 - 3	1	x \$42.00		x \$ 84.00	\$84.00	
Mult. Claims			+ \$140.00		+ \$280.00		
							Total \$1,248.00

- ☐ Please charge my Deposit Account No. 16-0221 to cover the filing fee and assignment recording fee. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.
- ☐ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-0221. A duplicate copy of this sheet is enclosed.
- ☐ Any additional filing fees required under 37 CFR 1.16.
- ☐ Any patent application processing fees under 37 CFR 1.17.
- ☐ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 16-0221. A duplicate copy of this sheet is enclosed.
- ☐ Any patent application processing fees under 37 CFR 1.17.
- ☐ The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
- ☐ Any filing fees under 37 CFR 1.16 for presentation of extra claims.

**The fee for filing the  
above-identified patent  
application is intentionally not  
being submitted at this time.**

Respectfully submitted,

*James A. Sheridan 6/24/03*  
James A. Sheridan  
Pandiscio & Pandiscio  
470 Totten Pond Road  
Waltham, Massachusetts 02451-1914  
Tel. (781) 290-0060

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REQUESTED FILING OF RULE 1.53(B)  
CONTINUATION PATENT APPLICATION BASED ON  
THE FOLLOWING PENDING PRIOR PATENT APPLICATION:

In re Application of: Peidong Wang et al.  
Serial No.: 09/750,434  
Filing Date: 12/28/2000  
Title: TUNABLE FABRY-PEROT FILTER AND TUNABLE  
VERTICAL CAVITY SURFACE EMITTING LASER  
Group Art Unit: 2828  
Examiner: Dung T. Nguyen  
Attorney's Docket No.: CORE-67

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

FILING OF PATENT APPLICATION UNDER 37 CFR 1.10

The attached Rule 1.53(B) continuation application is being  
filed under the provisions of 37 CFR 1.10.

**Enclosed is a copy the RESPONSE TO  
THE NOTICE TO FILE MISSING  
PARTS which includes a copy of the signed  
DECLARATION AND POWER OF  
ATTORNEY DOCUMENT.**

Respectfully submitted,

*James A. Sheridan 6/24/03*

James A. Sheridan  
Registration No. 43,114  
Pandiscio & Pandiscio  
470 Totten Pond Road  
Waltham, MA 02154  
Tel. (781) 290-0060

"Express Mail Mailing Label Number ER399783834US

Date of Deposit June 24, 2003

I hereby certify that this paper or fee is being deposited with  
the United States Postal Service "Express Mail Post Office to  
Addressee" service under 37 CFR 1.10 on the date indicated above  
and is addressed to Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450.

*James A. Sheridan 6/24/03*  
James A. Sheridan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REQUESTED FILING OF RULE 1.53(B)  
CONTINUATION PATENT APPLICATION BASED ON  
THE FOLLOWING PENDING PRIOR PATENT APPLICATION:

In re Application of: Peidong Wang et al.  
Serial No.: 09/750,434  
Filing Date: 12/28/2000  
Title: TUNABLE FABRY-PEROT FILTER AND TUNABLE  
VERTICAL CAVITY SURFACE EMITTING LASER  
Group Art Unit: 2828  
Examiner: Dung T. Nguyen  
Attorney's Docket No.: CORE-67

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

REQUEST FOR FILING RULE 1.53(B) CONTINUATION APPLICATION

This is a request for filing a continuation application, in accordance with Rule 1.53(B), of prior application Serial No. 09/750,434, filed 12/28/2000 by Peidong Wang et al. for TUNABLE FABRY-PEROT FILTER AND TUNABLE VERTICAL CAVITY SURFACE EMITTING LASER, which patent application is in turn a continuation-in-part of prior application Serial No. 09/105,399, filed 06/26/1998 by Parviz Tayebati et al. for MICROELECTROMECHANICALLY TUNABLE, CONFOCAL, VERTICAL CAVITY SURFACE EMITTING LASER AND FABRY-PEROT FILTER.

Submitted with this request are the following:

1. A true copy of said prior application Serial No. 09/750,434 (including specification, claims, drawings, and an unsigned Declaration and Power of Attorney) as originally filed;

2. Copies of (i) a RESPONSE TO OUTSTANDING NOTICE TO FILE MISSING PARTS OF APPLICATION - FILING DATE GRANTED, (ii) a DECLARATION AND POWER OF ATTORNEY document listing the names of the inventors and signed by the inventors, Peidong Wang, Daryoosh

CORE-67 CON

Vakhshoori and Parviz Tayebati, specifically identifying the application by serial number and filing date, (iii) a substitute set of drawings for the application with appropriate margins in compliance with 37 CFR 1.84 and (iv) a copy of the NOTICE TO FILE MISSING PARTS OF APPLICATION - FILING DATE GRANTED;

3. An AFFIDAVIT by an attorney of record verifying that the enclosed copy of said pending prior application Serial No. 09/750,434 is a true copy thereof;

4. A PRELIMINARY AMENDMENT which amends the application to show that it is a continuation of parent application Serial No. 09/750,434;

5. A SUBMISSION OF FORMAL DRAWINGS for the above-identified application, consisting of Figs. 1-11 on eleven (11) sheets of drawings; and

6. A mailing certificate indicating that this submittal is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on June 24, 2003 as provided for under 37 CFR 1.10.

The Power of Attorney in the prior application is to Pandiscio & Pandiscio, a firm composed of Nicholas A. Pandiscio, Registration No. 17293, Mark J. Pandiscio, Registration No. 30883, Scott R. Foster, Registration No. 20570, and James A. Sheridan, Registration No. 43114, or any of them, all of 470 Totten Pond Road, Waltham, MA 02154-1914 (Telephone No. 781-290-0060).

The inventors named in this continuation application are the same inventors named in the prior application Serial No. 09/750,434.

The Commissioner is also authorized to prepare a certified copy of said prior copending application if the same is deemed to be necessary and to charge the cost of same to Deposit Account No. 16-0221.

A duplicate copy of this letter is enclosed for filing in said prior copending application.

All communications in this matter should be addressed to:

Mark J. Pandiscio  
Pandiscio & Pandiscio  
470 Totten Pond Road  
Waltham, Massachusetts 02154.

Thank you.

Respectfully submitted,

*James A. Sheridan 6/24/03*

James A. Sheridan  
Registration No. 43,114  
Pandiscio & Pandiscio  
470 Totten Pond Road  
Waltham, MA 02451-1914  
Tel (781) 290-0060  
Fax (781) 290-4840

TS/CORE67CON.REQ